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JFU

Docket No.: 1484.1007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Chikako KARIYA

Serial No. 09/938,485

Group Art Unit: 2178

Confirmation No. 2872

Filed: August 27, 2001

Examiner: Cesar B. PAULA

For: RELATED DOCUMENTS PROCESSING DEVICE, RECORDING MEDIUM FOR  
PROCESSING RELATED DOCUMENTS AND METHOD FOR PROCESSING  
RELATED DOCUMENTS

**APPEAL BRIEF UNDER 37 C.F.R § 41.37**

**Mail Stop Appeal Brief Patents**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Appellant's Notice of Appeal, filed April 24, 2007, Appellant hereby  
appeals to the Board of Patent Appeals and Interferences from the Final Office Action, mailed  
December 26, 2006.

Appellant's Brief together with the requisite fee set forth in 37 CFR § 1.17 is submitted  
herewith.

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I. Real Party in Interest

Due to the assignment executed on August 15, 2001, by the inventor Chikako Kariya, and recorded in the United States Patent and Trademark Office at Reel/Frame 012121/0821, the real party in interest is as follows:

Fujitsu Limited  
1-1, Kamikodanaka 4-chome  
Nakahara-ku, Kawasaki-shi  
Kanagawa 211-8588, Japan

II. Related Appeals and Interferences

Although the real party in interest may have other appeals and interferences, none of the other pending appeals and interferences is believed to directly affect or be directly affected by, or have any bearing upon the decision of the Board of Patent Appeals and Interferences in this appeal.

III. Status of Claims

Claims 1-8, 10-18, 20-27, 29-37, 39-46 and 48-56 are pending in this application at the filing of this Appeal Brief, claims 9, 19, 28, 38, 47, and 57 have previously been canceled.

Claims 1-8, 10-18, 20-27, 29-37, 39-46 and 48-56 have been rejected at least twice.

IV. Status of Amendments

The pending claims have not been amended since the issuance of the outstanding Office Action on December 26, 2006.

Pursuant to 37 C.F.R. §1.192(c)(9), a copy of the claims is included in their present condition in the Appendix.

## V. Summary of the Invention

As stated in the background of the present application, beginning at the bottom of page 1, with reference to FIG. 12, the inventors of the present invention have found that it becomes difficult to determine the relevance of emails within a sequence of email exchanges due to the number of emails and the potential branching of emails. FIG. 12 shows two primary branches from a first incoming mail document 4, a first branch shown as response mail document 4-1 and response mail document 4-2. The branch for response mail document 4-1 continues with response mail document 4-1-1.

Accordingly, independent claim 1 sets forth:

"[a] related documents processing device, associating relevance among at least separately created documents, comprising:

a detector detecting relevance among the separately created -documents; and

a locator locating a timewise latest document related to a document selected based on detected relevance information,

wherein the documents are electronic mail (emails), and the relevance information detected by the detector includes an email exchange history of a branching of separate emails from a first email, with the branching of emails including at least two distinct time-wise non-sequential emails branching from the first email on a same branch of the branching of emails and/or at least two distinct time-wise sequential emails branching from the first email on different branches of the branching of emails."

Independent claim 20 sets forth a similar computer readable medium comprising computer readable code to control a computer to perform a method of related documents processing to associate relevance among at least separately created documents, and independent claim 39 sets forth such a method.

First, the detailed description details that "documents" can be many different types of documents, and uses electronic mail documents as just one example of the same. See the detailed description on page 4, beginning on line 24. In addition, the summary portion of the specification further details the example that if the claimed document is "an electronic mail document," then "there can be a case wherein the relevance information detected by the detector is an exchange history of the electronic mail documents. In the this case, the timewise latest electronic mail document located by the locator is subject to a return mail processing."

Thus, the detailed description differentiates between different types of documents, and further provides examples of how the invention could be applied for emails. The detailed

description put forward additional such differentiations between potential any type of documents and electronic mail documents (email), on lines 14-20, on page 12 ("[w]hen the documents are electronic mail documents, there can be a case wherein the relevance information detected by the detector is an exchange history of the electronic mail documents").

Such an available difference between electronic mail documents (email) and any other type of document is further exemplified by the originally filed independent claim 1, which only referred to "a detector detecting relevance among documents; and a locator locating a timewise latest document related to a document selected based on detected relevance information," and original dependent claim 9 which recited "wherein the documents are electronic mail documents, and the relevance information detected by the detector is an exchange history of the electronic mail documents."

Thus, during prosecution, applicants have narrowed the claimed documents from being available for any document to electronic mail documents. The specification further defines a difference between the terms "documents" and "electronic mail documents." Thus, as used in the pending claims, based upon the prosecution history and the detailed description the term "electronic mail document" must have patentable weight different from the broader term "document," and any document is not by definition an electronic mail document.

Regarding independent claims 1, 20, and 39, as only one example, FIG. 2 illustrates a document storage unit 10a, a relevance detector 20a, and a sorter 30a. As discussed beginning on page 19, line 16, email documents are received by the document storage unit 10a and relevance between emails is performed by the relevance detector 20a. "In the detection processing of the relevance among the documents, the branched state among the mail documents is detected based on the Message-IDs and the References noted in the header information of the respective mail documents, and the timewise order is also detected based on the time information in the header information." As discussed on page 21, beginning line 16, FIGS. 3 and 4 show an example "relationship among response mail documents and a schematic view showing, as an example, how to indicate the Message-IDs and the References included in the header information of the respective mail documents."

As stated on page 22, beginning on line 13, the relevance detector 20a detects the relevance among the mail documents and the branched state of the mail documents, detects the timewise order among the respective mail documents and outputs the detected relevance and the detected timewise order to the sorter 30 as relevance information. As explained in FIG. 5, and beginning on page 23, line 13, the related documents processing device may be configured to include a document storage unit 10b, a relevance detector 20b, and a display 40b.

Here, with regard to claims 1, 20, and 39, the relevance detector may perform the claimed detecting and locating. Further, page 24, beginning on line 19, the detailed specification identifies that a timewise latest document related to a document related to a selected document can be displayed, e.g., by the display 40b. In addition, FIGS. 3 and 6, for example, demonstrate that the relevance information can be concerning "the branching of emails including at least two distinct time-wise non-sequential emails branching from the first email on a same branch of the branching of emails and/or at least two distinct time-wise sequential emails branching from the first email on different branches of the branching of emails."

Similarly, regarding independent claims 11, 30, and 49, these independent claims differently claim a parsing of an overlapped portion among related documents based on detected relevance information and for merging the documents with the overlapped portion eliminated. As an example of this parsing feature, FIGS. 7-11 and corresponding portions of the specification beginning on page 26, demonstrate such a parsing and an editing and merging of such electronic mail documents. FIG. 6 further illustrates a document editor 50c for such merging of related documents to merge related documents into a single mail document for easier reading by a user. As stated on page 27, lines 2-15, the document editor 50c can determine an order of the related mail documents based on the relevance information and parse an overlapped portion in the related mail documents and merge the same into another mail document.



VI. Issues

1. Whether Claims 1-8, 10-18, 20-27, 29-37, 39-46 and 48-56 properly stand rejected under 35 U.S.c. § 103 as being obvious over Moody et al., US Patent No. 5,890,177, in view of a portion (pages 365-394 and 396-401) of a Microsoft publication "Getting Results with Microsoft Office 97" (hereinafter "Office 97").

## VII. Argument

Claims 1-8, 10-18, 20-27, 29-37, 39-46 and 48-56 stand rejected under 35 U.S.C. 103 as being obvious over Moody et al., US Patent No. 5,890,177, in view of a portion (pages 365-394 and 396-401) of Microsoft publication "Getting Results with Microsoft Office 97" (hereinafter "Office 97").

Previous Amendments

As noted above, during previous prosecution applicants have amended the independent claims from being available for any "document" to being an electronic mail document. The present application further provides examples of what an electronic mail document covers, and the independent claims have further been amended to clarify that the claimed "electronic mail document" is an "email".

In addition, during prosecution applicants further refined the term "relevance information" to being a relevance between "separately created" documents, and that the relevance information includes an email exchange history of a branching of separate emails from a first email.

Here, as noted above, the branching of emails was explained as including "at least two distinct time-wise non-sequential emails branching from the first email on a same branch of the branching of emails and/or at least two distinct time-wise sequential emails branching from the first email on different branches of the branching of emails."

These relevance information limitations are set forth in all independent claims. In addition, all independent claims set forth detecting the relevance among the separately created documents.

Independent Claims and Improper Interpretation of Moody et al.

Independent claims 1, 20, and 39 set forth a locating of a timewise latest document related to a document selected based on detected relevance information, and independent claims 11, 30, and 49 set forth parsing an overlapped portion among related documents based on detected relevance information and merging the documents with the overlapped portion eliminated.

To disclose these claimed features, the Office Action is first relying on Moody et al., which sets forth a method for sharing a copy of an original document and merging comments between different reviewers into a single document.

The Office Action further indicates that it would have been obvious to modify Moody et al. to disclose deficient features based upon the disclosure of Office 97.

Here, it is noted that Moody et al. has been relied upon by the Examiner to reject the claims since the first Office Action of August 13, 2004, and a combination of Moody et al. and Office 97 has been relied upon by the Examiner since the third Office Action of November 23, 2005.

During this prosecution applicants have narrowed the claimed invention to narrow the term "document" to "electronic mail document (email)", narrowed the claimed detecting of the relevance as being between "separately created documents," and narrowed the claimed relevance information from being merely a "relevance among documents" to including "an email exchange history of a branching of separate emails from a first email, with the branching of emails including at least two distinct time-wise non-sequential emails branching from the first email on a same branch of the branching of emails and/or at least two distinct time-wise sequential emails branching from the first email on different branches of the branching of emails."

The outstanding Office Action set forth that Moody et al. discloses "comparing an original document an edited copy of the same document...*the documents are electronic mail documents* (col. 7, lines 21-67, col. 4, lines 34-51).

These portions of Moody et al. accordingly explain that copies of an original document can be transmitted to different reviewers, probably preferably as attachments, through emails, then upon receipt by the different reviewers, again probably preferably as attachments, through emails, compared and merged into a single easily reviewable document.

Again, these portions of Moody et al. merely indicated that a document, e.g., a word-processing document, can be copied, and those copies can be distributed to different reviewers through email. After review, the edited copies of the original document can be received by the original author, e.g., via email, and differences between the original and the different edited copies can be illustrated in a single merged document. See FIG. 3 of Moody et al. showing such a single merged document.

The background of Moody et al. indicates that conventional reviewing techniques included a document being sent sequentially to different reviewers, or such different reviewers looking at the same document at the same time and making changes that can be seen by all reviewers. See Moody et al. in col. 1, line 31, through col. 2, line 19.

Thus, the purpose and direction of Moody et al. is for improving the method used for reviewing a single document. This improvement is achieved by permitting different reviewers edit copies of an original document and a merging program compare those edited copies with the original document for showing the original author a single document with all proposed edits of the original document.

Accordingly, first, the documents discussed in Moody et al. are not electronic mail documents (emails), as claimed, since the independent claims require these emails to be separately created documents and that these emails include at least two distinct emails capable of time-wise non-sequential emails and/or time-wise sequential emails.

In addition, the claimed emails must be capable of having an email exchange history of a branching of separate emails from a single email.

The documents discussed in Moody et al. would at most only be considered attachments to emails, and any relevance information maintained for such documents is document specific and unrelated to the actual email that forwarded that attachment.

Further, the documents discussed in Moody et al. are not separately created, i.e., the documents in Moody et al. are all copies of the same document and would all be created at the same time.

Similarly, any relevance information for any of the documents discussed in Moody et al. would not include (or need) any information regarding the branching of the same. Rather, in Moody et al., the intention is for the author to send out copies of the documents to reviewers and the reviewers to send the edited copies directly back to the author.

There is no need, desire, or reason for having any information of any branching of the documents, as the documents of Moody et al. are directly sent to the reviewers and directly returned to the author, and there is no indication that any time related information of such edits is of interest in Moody et al..

The Office Action has indicated that Moody et al. discloses some type of relevance information based upon time, stating "Moody discloses the comparison of similarities and differences-*relevance information*- between paragraphs of two documents emailed between the author, and editors –*exchange history of electronic mail documents*- such as an original document, and an edited copy of the original document (which was edited, after the original document was created – *timewise latest document*- based on a heritage *header* containing a *timestamp-timewise order*- indicating when the document was created or edited) (col. 10, lines

15-35, col. 4, lines 34-51)." See pages 3 and 4 of the outstanding Office Action.

Here, applicants respectfully submit that through various amendments and processes of prosecution the Examiner has divorced the Office Action review of Moody et al. from what the independent claims actually set forth "as a whole," i.e., the Examiner has piecewise attempted to pick and chose elements of Moody et al. that the Examiner believes could be forced to be interpreted as reading on a claimed element but has not considered whether those interpreted features would reasonably coexist.

The Examiner would further appear to be mixing interpretations of "documents" when referring to Moody et al., or when attempting to combine Moody et al. with Office 97. Previously, the Office Action has interpreted Office 97 as permitting Word documents to be "emails," and argued that with such a disclosure the "documents" and comparing of documents in Moody et al. can be considered as a comparing of "emails."

Here, however, as noted in previous responses, "emails" are fundamentally different from "Word" documents, and any emailing of documents within an email is merely that, "within an email." The documents are not the emails themselves, but rather either attachments or copies of the same copied and pasted into the body of the emails.

Even if Moody et al. were interpreted as covering the copying and pasting of a Word document into a body of an email, the described comparing and merging of Moody et al. still would not care about relevance information of the "email" itself, including the branching of that email from an original email or any sequential and/or non-sequential timewise information of that email. Again, Moody et al. cares about the document contents, not information of the email that may or may not be used to carry that document or information within the body of the email that may correspond to that document.

Thus, in reviewing Moody et al., the Examiner has forced different elements of Moody et al. to mean something not originally intended by the author of Moody et al.

Moody et al. set forth making copies of an original document, sending those copies to different reviewers, receiving edited versions of the copied original document, and comparing and merging the edited versions of the copied original documents and the original document in a single document.

The document in Moody et al. is preferably a word-processing document, and the merged document can show paragraph by paragraph the original document and the reviewers edited paragraphs, such as shown in FIG. 3 of Moody et al.

There is no discussion or need for any sequential or non-sequential time review to be performed on either of the sending of the copied documents, the edits with the copied documents, or receipt of the edited documents. Similarly, if Moody et al. were interpreted as encapsulating the text of the document within an email, Moody et al. would not care about the timewise information or branching of the email from an original email, but rather would care about relevance information about the text from the document put into the body of the email.

In this regard, the apparent only "time" discussion in Moody et al. is in comparing a time stamp and author of a document to determine whether it is of the same "heritage," i.e., a copy, as the original document.

However, in Moody et al., only once documents are found be of the same heritage does the comparison and merging commence. Once a document is determined to have a different time stamp and to be of a different "heritage", there is no need or desire in Moody et al. to determine whether there is any sequential or non-sequential aspect of the document or whether that document branches in any manner from the original document. In Moody et al., it is necessary that all compared and merged documents were sent directly to the reviewer and back to the author in single steps, and thus would have the same author and same timestamp.

Lastly, a comparison of an original paragraph and edited paragraphs cannot be considered the same as "an exchange history." Such changes and comparisons have no relationship to "exchange" and have no relationship to "history", not to mention having no relationship an exchange history of a branching of separate emails from a first email.

Here, the Office Action has taken each claimed element out of the claim and attempted to label a feature in Moody et al. as corresponding to that claim element, without considering how that claim element must be considered in view of the remaining features or how such an interpretation of that element would affect other interpretations of elements within Moody et al..

For example, the claimed "documents" must be emails and must be capable of resulting in a timewise (sequential and non-sequential) branching from an original email. If the Office Action is interpreting "document" as being an email with the body having the text of a document, then the remaining interpretation of Moody et al. must also be interpreted the same. If the Office Action is interpreting "document" as being an attachment to an email, then, again, the remaining interpretation of Moody et al. must take that into consideration. Further, depending on how the Examiner is interpreting "document," the obviousness rationale for combining features from Office 97 must change.

Similarly, whichever feature, based upon whichever interpretation of "document", is interpreted as corresponding to the claimed "timewise," that feature must have some relationship to the claimed branching, be capable of being located as a timewise latest document, be capable of being sequential and non-sequential, and be part of the relevance information that is used for either the locating of the timewise latest document related a selected document and/or be part of the relevance information usable for parsing an overlapped portion among related documents and for merging the documents with the overlapped portion eliminated.

#### Use of Office 97

Rather than acknowledging that the claimed features of Moody et al. cannot be interpreted as corresponding to the claimed features, the Office Action has taken the above mentioned piece-wise approach to the claimed features and either ignored the required interdependence between the elements or indicated that those interdependence aspects are not disclosed by Moody et al. but would be obvious in view of Office 97.

The Office Action has used Office 97 to merely teach "sending a copy of a document a user is working on, to a recipient as an email, and allowing a user to group various emails transmitted separately in time, in response to a specific email, such as a conference registration request... In other words, the emailed messages sent in reply to the registration request, depend on or branch from the email request, and were sent at various time." Here, the "sending of a copy of a document... as an email" is unclear, i.e., it is unclear whether the Examiner is interpreting document as corresponding to the above mis-application of the Word described function of copying the document text into the body of an email for use with Moody et al., or whether the Examiner is interpreting "document" as being an attachment to an email.

First, information of the text of a document placed within the body of an email is not the same as information of the email itself.

Further, it is not clear whether Moody et al. would even work as required if used in this manner. As noted in the Office Action, Moody et al. describes the use of a timestamp and author indicator to determine the heritage of a paragraph. However, if the Office Action proposed modification of Moody et al. were implemented, it is not clear whether this "heritage" would still exist within the body of the email.

Regardless, regarding the claimed branching, the outstanding Office Action's relied upon portion of Office 97, only sets forth that if a sender was to request that each respondent to a first email respond to that email with a particular subject line, then that user could create (through

another program) a "rule" where all emails with that particular subject line will be categorized into a particular category/list/folder. Thus, if a respondent (or any other emailer) sent an email with the particular subject line, then all of those emails will be filtered into a particular folder.

Presumably, a user could then selectively chose to look at the incoming emails within that folder based upon their receipt time.

However, this discussion in Office 97 is completely unrelated to the disclosure of Moody et al.; Moody et al. discusses comparing original word-processing documents with edited documents to merge the comparisons into a single document, while the corresponding portion of Office 97 merely discusses that incoming emails could be filtered based upon a particular subject line (rule).

Any application of the this portion of the disclosure of Office 97 with Moody et al. would appear to be related to filtering through any received emails for any emails with the reviewed documents. Such a filtering would not have any purpose or use in the comparing of the documents or merging of comparisons of the same.

On page 4, the Office Action states: "[i]t would have been obvious to one of ordinary skill in the art at the time of the invention to have combined Moody, and Office, because of all the reasons found in Office including getting quick feedback from reviewers, and making it easy to handle emails (396, and 376). This would provide the efficient, and time-saving benefit of directly emailing the documents the user has created using the sophisticated features of the application, such as the word processing application."

However, similar to above, the Office Action's proposed combination of Moody et al. and Office 97 would only appear to provide a user with the capability to filter received emails based upon the senders following the proper instructions for identifying those sent emails, e.g., based upon a particular subject line.

**This disclosure of Office 97 has no relationship to the aforementioned missing features of Moody et al. In addition, though emails may be transmitted separately in time, this separate sending or receiving of emails has no influence on the comparing and merging described in Moody et al.**

Moody et al. would not care or need to know when an email (containing an edited document) was received. Moody et al. only cares that the compared document is of the same heritage, i.e., has the **identical** timestamp and from the same original author.

Thus, in this regard, Moody et al. would not care or need to know any time information



regarding the edited document other than the original creation date.

Here, it is not clear whether the Office Action is arguing that it would have been obvious to modify Moody et al. to include some branching aspect of emails, e.g., send and receive, or whether it would have been obvious to modify Moody et al. to have the described emailing and filtering feature of Office 97.

Regardless, it is respectfully submitted that it would not have been obvious to modify Moody et al. as proposed in the Office Action. In addition, it is respectfully submitted that if Moody et al. were modified as proposed in the Office Action the combination still would not disclose the claimed invention.

Again, it is respectfully submitted that the claimed features have not been properly interpreted in view of their required meaning within each claim as a whole.

Independent claims 1, 20, and 39

Independent claims 1, 20, and 39 set forth a locating of a timewise latest document related to a document selected based on detected relevance information. In addition to the above noted misinterpretations of Moody et al. and Office 97, the following is noted.

As noted above, neither Moody et al. nor Office 97 discuss or suggest any locating of any timewise latest document. The Office Action presumably anticipates that a user will have to set a listing of a filtering folder (as discussed in Office 97) to be according to date, but there is no disclosure that such a listing of emails corresponds to the claimed locating of the timewise latest document "related to a document selected based on detected relevance information."

Here, the Office Action has made an interpretation of "relevance information" as information used to compare and merge paragraphs within a single document of Moody et al.. However, with this interpretation, any combination of Moody et al. and Office 97 still would not disclose the claimed locating of the timewise latest document "related to a document selected based on detected relevance information."

The Office Action has proposed to modify Moody et al. to allow a user to filter incoming emails, and apparently to permit a user to list the incoming emails according to date and time. However, this listing according to date and time would not cooperate in any form with the operation described in Moody et al. for comparing the corresponding received documents within the emails for edited paragraphs and merging of the same into a single document.

Thus, in addition to disagreeing with the Office Action proposed combination of Moody et al. and Office 97, it is respectfully submitted that the proposed combination of the same still

would not disclose the claimed invention.

Independent claims 11, 30, and 49

Independent claims 11, 30, and 49 set forth parsing an overlapped portion among related documents based on detected relevance information and merging the documents with the overlapped portion eliminated.

Rather, as described in Moody et al., the purpose of Moody et al. is to compare edited paragraphs and show all edited paragraphs in a single document. The underlying purpose of Moody et al. is different from the claimed invention.

In addition, in cooperation with the claimed relevance information including an email exchange history of a branching of separate emails from a first email, and the required available branching, it is respectfully submitted that any combination of Moody et al. with Office 97 would not eliminate an overlapped portion among the related documents based on the detected relevance information for a single document.

Dependent Claims

Regarding dependent claims 2-3, 13-14, 21-22, 32-33, 40-41, and 51-52, claiming that the documents have header information, and that the detecting of the relevance among the documents is based on the header information, the Office Action references the use of a creator-ID stored with a document in Moody et al. when that document is created. This information is used in Moody et al. to determine whether two documents were created by the same author, i.e., have the same heritage.

However, similar to above, it is unclear how the Examiner is interpreting the claimed document or the claimed relevance information, i.e., if the document is an email body then there may not be any author-ID information recorded with the text, while if the document is only a Word document with such a creator-ID header information then the document cannot be "an email" as proposed by the Examiner.

If the document is an email, then the creator-ID probably does not exist in the modified Moody et al. having such an email document, and if the document is merely a document, e.g., attached to an email, then the modified Moody et al. fails to disclose the claimed email aspect of the invention.

In addition, Moody et al. fails to disclose that any merging or displaying of the merged data is based upon the header information. Rather, as noted, presumably, all edited and merged paragraphs come from documents with the same creator-ID and timestamp.

Regarding dependent claims 6, 16, 25, 35, 44, 54, the Office Action relies upon FIG. 3 of Moody et al., showing a merging of paragraphs. However, Moody et al. fails to disclose that the claimed tree view is based upon a located timewise latest document. As noted above, Moody et al., does not care about the differences in time between edits only that the edits are of the **same** heritage document.

Regarding dependent claims 7-8, 17-18, 26-27, 36-37, 45-46, and 55-56, the Office Action appears to have now interpreted "branched state" to mean "differences between paragraphs."

For example, regarding claim 7, the Office Action particularly states: "Moody discloses the comparison of differences-*branched state*-between paragraphs of two documents, based on a creator-ID-*header information according to a uniqueness rule in each of the documents*. The differences or edits-*detected branched state*- are presented in a visible way using techniques such as redlining."

Thus, the Office Action here has interpreted "branched state" as meaning differences between documents, presumably based upon the term "branch" meaning "branching" from the original documents.

However, it is respectfully submit that this interpretation of "branched state" is incorrect and does not cooperate with the detailed description. Though a reasonable interpretation may be given to a feature, any interpretation must not run counter to the detailed description's use of the same.

The detailed description clearly provides multiple examples of what "branched" is meant to mean in view of the term "electronic email document." Further, the detailed description explains how documents can be timewise branched.

The use of "branched" in the specification or in applicants' remarks cannot be ignored.

Accordingly, the interpretation of "branched" by the Office Action is improper. Further, if the same interpretation is used for the remainder of the claims, applicants further submit that such an interpretation is also improper.

VIII. Conclusion

In view of the facts stated herein, the Appellant respectfully submits that the Examiner has improperly interpreted the claimed invention and failed to set forth a prima facie obviousness case against the pending claims.

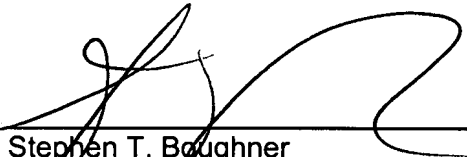
For all the foregoing reasons, the Appellant respectfully submits that the cited prior art does not teach or suggest the presently claimed invention. The claims are patentable over the prior art of record and the Examiner's findings of unpatentability should be reversed and the patentability over the presently cited references be affirmed.

The Commissioner is hereby authorized to charge any additional fees required in connection with the filing of the Appeal Brief to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: 6/25/07

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## CLAIMS APPENDIX

1. A related documents processing device, associating relevance among at least separately created documents, comprising:

a detector detecting relevance among the separately created documents; and  
a locator locating a timewise latest document related to a document selected based on detected relevance information,

wherein the documents are electronic mail (emails), and the relevance information detected by the detector includes an email exchange history of a branching of separate emails from a first email, with the branching of emails including at least two distinct time-wise non-sequential emails branching from the first email on a same branch of the branching of emails and/or at least two distinct time-wise sequential emails branching from the first email on different branches of the branching of emails.

2. The device according to claim 1, wherein the documents have header information, and the detector detects the relevance among the documents based on the header information.

3. The device according to claim 2, wherein the detector detects a timewise order of the documents based on time information in the header information of each of the documents and outputs the relevance information including at least a timewise order.

4. The device according to claim 1, further comprising a display unit for displaying contents of the document located by the locator.

5. The device according to claim 4, wherein the display unit displays the relevance among the documents as a tree view based on the relevance information detected by the detector.

6. The device according to claim 5, wherein a specific document selected among the documents displayed as a tree view by the display unit is processed as the selected document at the locator.

7. The device according to claim 2, wherein the detector detects a branched state between documents based on an ID noted in the header information according to a uniqueness

rule in each of the documents and outputs the relevance information including at least the detected branched state.

8. The device according to claim 5, wherein the detector detects a branched state between documents based on an ID noted in the header information according to a uniqueness rule in each of the documents and outputs the relevance information including at least the detected branched state, and the display unit displays the relevance among the documents including the detected branched state as a tree view.

9. (CANCELED)

10. The device according to claim 1, wherein a timewise latest electronic mail located by the locator is subjected to a return mail processing.

11. A related documents processing device, associating relevance among at least separately created documents, comprising:

a detector detecting relevance among the separately created documents; and

a document editor parsing an overlapped portion among related documents based on detected relevance information and for merging the documents with the overlapped portion eliminated,

wherein the documents are electronic mail (emails), and the relevance information detected by the detector includes an email exchange history of a branching of separate emails from a first email, with the branching of emails including at least two distinct time-wise non-sequential emails branching from the first email on a same branch of the branching of emails and/or at least two distinct time-wise sequential emails branching from the first email on different branches of the branching of emails.

12. The device according to claim 11, wherein the document editor merges the documents according to an order of the related documents.

13. The device according to claim 11, wherein the documents have header information, and the detector detects the relevance among the documents based on the header information.

14. (PREVIOUSLY PRESENTED) The device according to claim 13, wherein the

detector detects a timewise order of the documents based on time information in the header information of each of the documents and outputs the relevance information including at least the timewise order.

15. The device according to claim 11, further comprising a display unit for displaying the relevance among the documents as a tree view based on the relevance information detected by the detector.

16. The device according to claim 15, wherein the document editor merges documents, including a document selected among the documents displayed as a tree view by the display unit up to a timewise latest document related to the selected document, and the display unit displays the merged document.

17. The device according to claim 13, wherein the detector detects a branched state between documents based on an ID noted in the header information according to a uniqueness rule in each of the documents and outputs the relevance information including at least the detected branched state.

18. The device according to claim 15, wherein the detector detects a branched state between documents based on an ID noted in the header information according to a uniqueness rule in each of the documents and outputs the relevance information including at least the detected branched state, and the display unit displays the relevance among the documents including the detected branched state as a tree view.

19. (CANCELED)

20. A computer readable recording medium comprising computer readable code to control a computer to perform a method of related documents processing to associate relevance among at least separately created documents, the method comprising:

detecting relevance among the separately created documents; and

locating a timewise latest document related to a document selected based on detected relevance information,

wherein the documents are electronic mail (emails), and the relevance information includes an email exchange history of a branching of separate emails from a first email, with the

branching of emails including at least two distinct time-wise non-sequential emails branching from the first email on a same branch of the branching of emails and/or at least two distinct time-wise sequential emails branching from the first email on different branches of the branching of emails.

21. The recording medium according to claim 20, wherein the documents have header information, and the detecting of the relevance includes detecting the relevance among the documents based on the header information.

22. The recording medium according to claim 21, wherein the detecting of the relevance includes detecting a timewise order of the documents based on time information in the header information of each of the documents and outputting the relevance information including at least the timewise order.

23. The recording medium according to claim 20, for the method further comprising displaying contents of the located document.

24. The recording medium according to claim 23, the method further comprising displaying the relevance among the documents as a tree view based on the relevance information.

25. The recording medium according to claim 24, wherein a specific document selected among the documents displayed as a tree view is processed as the selected document in the locating of the timewise latest document.

26. The recording medium according to claim 21, wherein the detecting of the relevance further comprises detecting a branched state between documents based on an ID noted in the header information according to a uniqueness rule in each of the documents and outputting the relevance information including at least the detected branched state.

27. The recording medium according to claim 24, wherein the detecting of the relevance further comprises detecting a branched state between documents based on an ID noted in the header information according to a uniqueness rule in each of the documents and outputting the relevance information including at least the detected branched state, and the displaying the



relevance among the documents including the detected branched state as a tree view.

28. (CANCELED)

29. The recording medium according to claim 20, wherein the located timewise latest electronic mail is subjected to a return mail processing.

30. A computer readable recording medium comprising computer readable code to control a computer function to perform a method of related documents processing to associate relevance among at least separately created documents, the method comprising:

detecting relevance among the separately created documents; and

parsing an overlapped portion among related documents based on detected relevance information and merging the documents with the overlapped portion eliminated,

wherein the documents are electronic mail (emails), and the relevance information detected includes an email exchange history of a branching of separate emails from a first email, with the branching of emails including at least two distinct time-wise non-sequential emails branching from the first email on a same branch of the branching of emails and/or at least two distinct time-wise sequential emails branching from the first email on different branches of the branching of emails.

31. The recording medium according to claim 30, wherein the merging comprises merging the documents according to an order of the related documents.

32. The recording medium according to claim 30, wherein the documents have header information, and the detecting of the relevance comprises detecting the relevance among the documents based on the header information.

33. The recording medium according to claim 32, wherein the detecting of the relevance comprises detecting a timewise order of the documents based on time information in the header information of each of the documents and outputting the relevance information including at least a timewise order.

34. The recording medium according to claim 30, the method further comprising displaying the relevance among the documents as a tree view based on the relevance

information.

35. The recording medium according to claim 34, wherein the merging comprises merging a document selected among the documents displayed as a tree view and up to a timewise latest document related to the selected document, with displaying further comprising displaying the merged document.

36. The recording medium according to claim 32, wherein the detecting of the relevance comprises detecting a branched state between documents based on an ID noted in the header information according to a uniqueness rule in each of the documents and outputting the relevance information including at least the detected branched state.

37. The recording medium according to claim 34, wherein the detecting of the relevance comprises detecting a branched state between documents based on an ID noted in the header information according to a uniqueness rule in each of the documents and outputting the relevance information including at least the detected branched state, with the displaying further comprising displaying the relevance among the documents including the detected branched state as a tree view.

38. (CANCELED)

39. A method for processing related documents, associating relevance among at least separately created documents, which comprises:

detecting relevance among the separately created documents; and

locating a timewise latest document related to a document selected based on detected relevance information,

wherein the documents are electronic mail (emails), and the relevance information detected by the detecting step includes an email exchange history of a branching of separate emails from a first email, with the branching of emails including at least two distinct time-wise non-sequential emails branching from the first email on a same branch of the branching of emails and/or at least two distinct time-wise sequential emails branching from the first email on different branches of the branching of emails.

40. The method according to claim 39, wherein the documents have header information,

and the detecting of the relevance comprises detecting the relevance among the documents based on the header information.

41. The method according to claim 40, wherein the detecting of the relevance comprises detecting a timewise order of the documents based on time information in the header information of each of the documents and outputting the relevance information including at least a timewise order.

42. The method according to claim 39, wherein the locating of the timewise latest document comprises displaying contents of the located document.

43. The method according to claim 42, wherein the displaying comprises displaying the relevance among the documents as a tree view based on the relevance information.

44. The method according to claim 43, wherein the locating of the timewise document further comprises processing a specific document as the selected document, the specific document selected among the documents displayed as a tree view.

45. The method according to claim 40, wherein the detecting of the relevance comprises detecting a branched state between documents based on an ID noted in the header information according to a uniqueness rule in each of the documents and outputting the relevance information including at least the detected branched state.

46. The method according to claim 43, wherein the detecting of the relevance comprises a branched state between documents based on an ID noted in the header information according to a uniqueness rule in each of the documents and outputting the relevance information including at least the detected branched state, with the displaying further comprising displaying the relevance among the documents including the detected branched state as a tree view.

47. (CANCELED)

48. The method according to claim 40, wherein the located timewise latest electronic mail is subjected to a return mail processing.

49. A method for processing related documents, associating relevance among at least separately created documents, comprising:

detecting relevance among the separately created documents; and

parsing an overlapped portion among related documents based on detected relevance information and merging the documents with the overlapped portion eliminated,

wherein the documents are electronic mail (emails), and the relevance information is an email exchange history of a branching of separate emails from a first email, with the branching of emails including at least two distinct time-wise non-sequential emails branching from the first email on a same branch of the branching of emails and/or at least two distinct time-wise sequential emails branching from the first email on different branches of the branching of emails.

50. The method according to claim 49, wherein the merging comprises merging the documents according to an order of the related documents.

51. The method according to claim 49, wherein the documents have header information, and the detecting of the relevance comprises detecting the relevance among the documents based on the header information.

52. The method according to claim 51, wherein the detecting of the relevance comprises detecting a timewise order of the documents based on time information in the header information of each of the documents and outputting the relevance information including at least the timewise order.

53. The method according to claim 49, wherein the detecting of the relevance comprises displaying the relevance among the documents as a tree view based on the detected relevance information.

54. The method according to claim 53, wherein the merging comprises merging a document selected among the documents displayed as a tree view up to a timewise latest document related to the selected document, with the displaying further comprising displaying the merged document.

55. The method according to claim 51, wherein the detecting of the relevance comprises detecting a branched state between documents based on an ID noted in the header information

according to a uniqueness rule in each of the documents and outputting the relevance information including at least the detected branched state.

56. The method according to claim 53, wherein the detecting of the relevance comprises detecting a branched state between documents based on an ID noted in the header information according to a uniqueness rule in each of the documents and outputting the relevance information including at least the detected branched state, with the displaying further comprising displaying the relevance among the documents including the detected branched state as a tree view.

57. (CANCELED)

Serial No. 09/938,485

Docket No.: 1484.1007

EVIDENCE APPENDIX

None

Serial No. 09/938,485

Docket No.: 1484.1007

RELATED PROCEEDINGS APPENDIX

None.